

REMARKS

Claims 11-26 were pending, examined, and rejected. Claims 11 and 20 are amended. Claim 27 has been added. Claims 11-27 are now pending. Applicants respectfully request favorable action in this case.

Section 103(a) rejection

The Office Action rejected claims 11-26 under 35 U.S.C. § 103(a) as being unpatentable over Pelland (US 2002/0029203 A1) in view of Cohen (US 2002/0095295 A1).

Claim 11

Applicants have amended claim 11 to recite rating personality profiles regarding their ability to represent key personality traits in one or more selected automated systems by eliciting sample population feedback following sample population utilization of the personality profiles.

Applicants submit that claim 11 as amended is patentable over the cited references because the cited references do not teach all of the claim elements. A Section 103(a) rejection based on the rationale of combining multiple prior art references is proper only if the Examiner articulates how the cited references teach all of the claim elements. See MPEP 2143 (A).

Neither Pelland nor Cohen disclose rating personality profile in an automated speech environment by eliciting sample population feedback following sample population utilization of the personality profiles. Pelland, which was cited against the “rating” element as previously presented discloses a process of observing a subscriber’s behavior or situation via an virtual machine interface that allows a user to interact with a personality unit. The Pelland process then updates tracking data as necessary and then analyzes the observed situation or behavior and translates the observed information into facts that are useful to a set of rules. The Pelland process then applies the rules to the fact to determine how the personality parameters are to be adjusted. See, e.g., Pelland [0052].

Thus, although Pelland describes adjustment of personality parameters, Pelland does not teach rating personality profiles by eliciting sample population feedback following sample population utilization of the personality profiles. Nor does Cohen, the secondary reference,

teach the claim elements under discussion. Accordingly, because the cited references do not teach all of the claim elements, Applicants respectfully request the Examiner to reconsider and withdraw the Section 103(a) rejection of independent claim 11 and its dependent claims.

Claims 21 and 27

Analogous remarks distinguish claim 20 as amended and claim 27 as newly presented from the cited references. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the rejections of claim 20 and its dependent claims and to consider and allow claim 27.

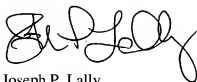
CONCLUSION

Applicants believe that this response addresses all of the issues raised in the Office Action.

Applicants have submitted fees. If, however, the submitted fees are missing or insufficient, the Commissioner is hereby authorized to charge any fees necessary, or credit any overpayment, to Deposit Account No. 10-0096 of Jackson Walker L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.236.2019.

Respectfully submitted,
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A handwritten signature in black ink, appearing to read "J. P. Lally", written in a cursive style.

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